



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## COUNCIL COMMUNICATION

TO: City Council

FROM: City Manager

MEETING DATE: February 17, 1985

AGENDA TITLE: Review Public Right-of-Way Encroachments at 6 West Oak Street and 7 West Oak Street

RECOMMENDED ACTION: That the City Council review the request of the property owners at 6 and 7 West Oak Street and take the appropriate action.

BACKGROUND INFORMATION: In October of last year, we reviewed with the City Council the different types of encroachments which were taking place within the public right-of-way. This department is presently enforcing the existing ordinance with respect to these encroachments. Letters were sent to parties having encroachments allowing them sufficient time to remove their properties from the public right-of-way.

At the last Council meeting, the appliance stores of Kundert and Bauer and Reo's Appliance submitted the attached letter to the City Council and asked that this item be placed on the next agenda. City staff was asked to provide the City Council with some possible conditions if a waiver for their encroachments were to be given. It is recommended that if a waiver is to be made, the following conditions be considered:

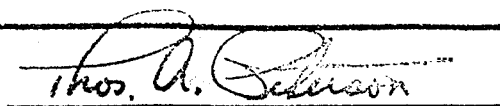
1. That the City issue an encroachment permit for the right-of-way encroachment. The conditions of the encroachment permit would include:
  - A. Appliances and boxes to be kept within 42" of the building.
  - B. No appliances or boxes shall be left on the sidewalk during nonbusiness hours.
  - C. No appliances or boxes may be placed on the sidewalk fronting neighboring businesses.
  - D. If violations of the encroachment permit occur, the permit could be voided with action by the City Council.

  
Jack L. Ronsko  
Public Works Director

Attachment

cc: Kundert and Bauer  
Reo's Appliance

APPROVED:

  
THOMAS A. PETERSON, City Manager

FILE NO.



RECEIVED  
Lodi, California  
January 29, 1983  
1983 FEB -1 AM 9:07

ALICE M. REMICHE  
CITY CLERK  
CITY OF LODI

~~City of Lodi~~  
City Hall, 221 West Pine Street  
Call Box 3006  
Lodi, California 95241-1910

Attention: Alice Remiche, City Clerk

Re: Public Right of Way Encroachment

Dear Council Members:

In response to a letter received by us from the City of Lodi Street Superintendent, we wish to inform the City Council of the hardship this would create.

We sell large appliances and repair them. Many times customers drop off appliances for repair with only the ladies in the shop or they are scheduled for pick-up of a new appliance and the men are out on repair or delivery. Our only access is through our front doors. The appliances are at all times close to the building and are only out there during business hours. In our line of business it would be literally impossible to continue doing business if this law is enforced.

We are sure over the years the privilege has been abused but we have been going along with the down town improvement plan and have tried to the best of our ability to keep Lodi looking its best and still give our customers the best service possible.

Sincerely,

*E. Bauer*

Edwin R. Bauer, owner  
Kundert & Bauer, in business in Lodi since 1956, previously Kundert and Kundert in Lodi, since 1934.

Reo Nathan, owner *Reo Nathan*  
Reo's Appliance, conducting business at 7 W. Oak since 1956

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DOCUMENT CANNOT BE  
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CONDITION OF THE ORIGINAL

CITY COUNCIL

EVELYN M. OLSON, Mayor  
JOHN R. (Randy) SNIDER  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON, Jr.  
FRED M. REID

# CITY OF LODI

CITY HALL 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5631  
TELECOPIER (209) 333 6795

THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
RONALD M. STEIN  
City Attorney

February 5, 1988

Mr. Edwin R. Bauer  
Kundert and Bauer  
6 West Oak Street  
Lodi, CA 95240

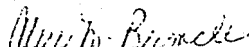
Dear Mr. Bauer:

This letter will confirm that the Lodi City Council, at its regular meeting of February 3, 1988, received your letter expressing concerns regarding public right-of-way encroachment as *it* pertains to your particular **business**.

The Council has directed that this matter be placed on the agenda for the February 17, 1988 City Council meeting. A copy of the Agenda for that meeting will be forwarded to you when it is prepared.

Please feel free to call this office if you have any questions.

Very truly yours,

  
Alice M. Reimche  
City Clerk

AMR:jj

CITY COUNCIL

EVELYN M. OLSON, Mayor  
JOHN R. (Randy) SNIDER  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON Jr.  
FRED M. REID

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TELECOPIER (209) 333-6795

February 23, 1988

THOMAS A. PETERSON  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

RECEIVED  
1988 FEB 24 AM 11:05  
ALICE M. REIMCHE  
CITY CLERK  
CITY OF LODI

Kundert & Bauer Appliance  
6 West Oak Street  
Lodi, CA 95240

**SUBJECT:** Public Right-of-Way Encroachment, 6 West Oak Street

Enclosed is an encroachment permit for placing appliances and boxes in the public right-of-way. As directed by the City Council at its meeting on February 17, 1988, five conditions have been placed on the permit. If all these conditions are acceptable to you, please sign the encroachment permit and return all three copies. The permit will become effective upon its return.

Should you have any questions, please call me at 333-6706.

Wesley Fujitani  
Associate Civil Engineer

WF/cag

cc: Street Superintendent  
City Clerk  
Enclosure

CITY COUNCIL:

EVELYN M. OLSON, Mayor  
JOHN R. (Randy) SNIDER  
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City Clerk

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City Attorney

February 5, 1988

Mr. Reo Nathan  
Reo's Appliance Center  
7 West Oak Street  
Lodi, CA 95240

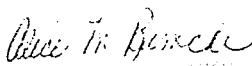
Dear Mr. Nathan:

This letter will confirm that the Lodi City Council, at its regular meeting of February 3, 1988, received your letter expressing concerns regarding public right-of-way encroachment as it pertains to your particular business.

The Council has directed that this matter be placed on the agenda for the February 17, 1988 City Council meeting. A copy of the Agenda for that meeting will be forwarded to you when it is prepared.

Please feel free to call this office if you have any questions.

Very truly yours,

  
Alice M. Reimche  
City Clerk

AMR: jj

CITY COUNCIL

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City Attorney

ALICE M. REIMICHE  
CITY CLERK  
CITY OF LODI

February 23, 1988

Reo's Appliance  
7 West Oak Street  
Lodi, CA 95240

SUBJECT: Public Right-of-way Encroachment, 7 West Oak Street

Enclosed is an encroachment permit for placing appliances and boxes in the public right-of-way. As directed by the City Council at its meeting on February 17, 1988, five conditions have been placed on the permit. If all these conditions are acceptable to you, please sign the encroachment permit and return all three copies. The permit will become effective upon its return.

Please note that there is no provision on the permit for placing appliances or boxes in the alley. Any items currently in the alley must be removed.

Should you have any questions, please call me at 333-6706.

Wesley Fujitani  
Associate Civil Engineer

WF/cag

Enclosure

cc: City Clerk